



UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

United States of America)

v.)

Case No. 8:17-MJ-518 (GLF)

Ana Maria GARCIA-ARCHUNDIA)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date 11/20/2017 in the county of Franklin in the Northern District of New York, the defendant violated 8 U. S. C. 1325(a)(2), an offense described as follows:

The defendant, being an alien, did avoid and elude examination and inspection by immigration officials of the United States. as she entered the United States from Canada.

This criminal complaint is based on these facts:

On November 20th, 2017, in Ellenburg, NY Border Patrol Agents approached a parked car at La Barre's convenience store parking lot. The driver had entered the United States alone approximately 2 hours earlier at the Massena Port of Entry and the car was a rental with Florida registration. The person in the driver's seat identified himself as a United States citizen and he said that the female passenger was his spouse. Unable to provide immigration documents for the female, the driver stated she was in the United States illegally and he asked that she not be arrested. The female passenger was identified as GARCIA-Archundia, Ana Maria. GARCIA admitted to being a citizen of Mexico without any immigration documents to lawfully reside in the United States. Citizens of Mexico are required to obtain a valid visa to enter the United States. Had GARCIA presented herself for inspection at a U.S. Port of Entry, lane checks show she did not, she would have been denied entry due to the fact that she is a Mexican citizen without a valid visa. GARCIA did provided a Mexico Passport #E12720579 and Mexico Consular ID Card #10856712. Both subjects were then taken into custody and transported to the U.S. Border Patrol Station in Malone, NY for processing.

At the U.S. Border Patrol Station, agents queried GARCIA's fingerprints via the IAFIS system. IAFIS revealed that GARCIA was an alien, a citizen of Mexico, and that she had an existing A number of xxx xxx 113 issued for a 601A application (unlawful presence waiver). The 601A expired in 2016. Records show that GARCIA applied for and was denied a U.S. Visa in 2014. Records show that on April 7th, 2017, GARCIA traveled from Ixtapa/Zihiatanejo Mexico to Toronto International Airport in Canada via Air Canada.

Complainant's signature

Charles Sullivan, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: November 22, 2017

Judge's signature

City and state: Plattsburgh, New York

Honorable Gary L. Favro U.S. Magistrate Judge

Printed name and title